

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
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FISCAL IMPACT STATEMENT

LS 7242

BILL NUMBER: SB 401

DATE PREPARED: Feb 26, 2002

BILL AMENDED: Feb 25, 2002

SUBJECT: Electric Personal Assistive Mobility Devices.

FISCAL ANALYST: James Sperlik

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FUNDS AFFECTED: ☒ **GENERAL**
☒ **DEDICATED**
FEDERAL

IMPACT: State & Local

Summary of Legislation: (Amended) This bill: (1) defines an electric personal assistive mobility device as a self-balancing, two nontandem wheeled device with certain other attributes and excludes an electric personal assistive mobility device from the definition of motor vehicle and from various requirements in the motor vehicle code; (2) includes the use of an electric personal assistive mobility device within certain provisions relating to the operation of a vehicle while intoxicated; (3) requires a person to acquire a certificate of title for an off-road vehicle, motor scooter, or motorized bicycle that will be operated within the state. It provides that this requirement does not apply to off-road vehicles, motor scooters, or motorized bicycles purchased before July 1, 2002, by an Indiana resident; (4) establishes a procedure by which a local authority may adopt additional traffic regulations by ordinance regarding a private road within the authority's jurisdiction and makes conforming amendments.

Effective Date: (Amended) Upon passage; July 1, 2002.

Explanation of State Expenditures: (Revised) This bill defines an electric personal assistive mobility device as a self-balancing, two nontandem wheeled device with certain other attributes and excludes an electric personal assistive mobility device from the definition of motor vehicle and from various requirements in the motor vehicle code. Since the proposal does not require registration and/or licensing by the Bureau of Motor Vehicles, it will have no fiscal impact on them.

Certificate of Title Requirement for Off-road Vehicles, Motor Scooters, and Motorized Bicycles: The bill also requires a person to acquire a certificate of title for an off-road vehicle, motor scooter, or motorized bicycle that will be operated within the state. The bill provides that this requirement does not apply to off-road vehicles, motor scooters, or motorized bicycles purchased before July 1, 2002, by an Indiana resident. For the Bureau of Motor Vehicles (BMV), the agency that will title the vehicles, there will be computer changes and data base development required in order to identify the new vehicle types. In addition, there will be new forms required for the titling. The computer changes and data base development are estimated at approximately \$45,000. The printing of new forms is estimated at \$5,000. The fund affected is the Motor

Vehicle Highway Account which supports the BMV. The estimated cost can be absorbed within the current BMV budget.

According to the Department of Natural Resources, which registers off-road vehicles used on public property, there are 20,751 off-road vehicles currently registered in the state. Specific data on the number of motor scooters and motorized bicycles are not available. The latter vehicles currently do not require registration or titling. The titling requirement does not apply to motor scooters, motorized bicycles, and off-road vehicles purchased before July 1, 2002. Consequently, this will limit the number of vehicles which require titling initially.

Traffic Regulations for Private Roads Within the Authority's Jurisdiction: To the extent that the provisions of this proposal involve the State Police, the Department of Natural Resources' Conservation Officers, or the Excise Police, there may be additional enforcement time devoted to its implementation. The specific fiscal impact is indeterminable and will depend upon the number of times the enforcement of local traffic regulations occurs on private roads and streets. The funds affected are the State General Fund, the Fish and Wildlife Fund, and the Enforcement Fund.

Explanation of State Revenues: (Revised) The bill includes the use of an electric personal assistive mobility device within certain provisions relating to the operation of a vehicle while intoxicated. As such, the provision adds an additional device for which a citation could be issued. The potential revenue impact is indeterminable.

Explanation of Local Expenditures: (Revised) The bill defines an electric personal assistive mobility device and excludes the device from the definition of motor vehicle and from various requirements in the motor vehicle code. There may be additional costs for local units who adopt certain traffic regulations concerning the operation of electric personal assistive mobility devices. This impact is indeterminable.

Traffic Regulations for Private Roads Within the Authority's Jurisdiction: To the extent that the provisions of this proposal involve the local police, there may be additional enforcement time devoted to its implementation. The specific fiscal impact is indeterminable and will depend upon the number of times the enforcement of local traffic regulations occurs on private roads and streets.

Explanation of Local Revenues: (Revised) The bill includes the use of an electric personal assistive mobility device within certain provisions relating to the operation of a vehicle while intoxicated, thus adding an additional device for which a citation could be issued for driving while intoxicated. The potential revenue impact is indeterminable.

Traffic Regulations for Private Roads Within the Authority's Jurisdiction: This proposal also expands the number of situations where fines could be received by local units from ordinance violations.

State Agencies Affected: Bureau of Motor Vehicles, State Police, Department of Natural Resources' Conservation Officers, and the Excise Police.

Local Agencies Affected: Those units which adopt traffic regulations concerning the electric personal assistive mobility device.

Information Sources: Mike Portteus, Law Enforcement Division of the DNR, 232-4012; BMV data.